



# Town of Lancaster

TOWN PLANNING BOARD  
21 Central Avenue  
Lancaster, New York 14086

September 16, 2020

Planning Board Members:

Neil Connelly, Chairman  
Rebecca Anderson  
Anthony Gorski  
Joseph Keefe  
Stanley Jay Keysa III  
Lawrence Korzeniewski  
Kristin McCracken

Town Board Members:

Ronald Ruffino, Sr., Supervisor  
Adam Dickman  
Robert Leary  
David Mazur

Engineering Consultant:

Ed Schiller, Wm. Schutt & Associates

Town Attorney:

Kevin E. Loftus

Town Highway Superintendent:

Daniel J. Amatura

Building & Zoning Inspector:

Matthew Fischione

Gentlemen/Ladies:

Enclosed is a draft copy of the minutes of a meeting of the Planning Board of Lancaster which was held September 16, 2020. Please review it for errors and completeness. These minutes will not become final until approved at a subsequent Planning Board meeting, and may be amended before approval.

Sincerely yours,

Neil R. Connelly  
Planning Board Chairman

NRC:cm

Encl.

A meeting of the Planning Board of the Town of Lancaster, Erie County, New York was held at Town Hall, 21 Central Avenue, Lancaster NY, and via Zoom on the 16<sup>th</sup> day of September 2020 at 7:00 P.M. and there were present:

PRESENT: Neil Connelly, Chairman  
Rebecca Anderson, Member  
Joseph Keefe, Member  
Stanley Jay Keysa III, Member  
Lawrence Korzeniewski, Member  
Kristin McCracken, Member

EXCUSED: Anthony Gorski, Member

ALSO PRESENT: None

Town Board Members: David Mazur, Councilmember

Other Elected Officials: None

Town Staff: Ed Schiller, Engineering Consultant  
Emily Orlando, Deputy Town Attorney  
Matt Fischione, Code Enforcement Officer  
Cynthia Maciejewski, Recording Secretary

Meeting called to order by Chair Connelly at 7:00 P.M.

Pledge of Allegiance led by Chair Connelly.

Minutes-A motion was made by Lawrence Korzeniewski to approve the minutes from the August 19, 2020 Planning Board meeting with the correction to the Tom Ferry 3-lot subdivision vote of two no votes on memo. Motion seconded by Joseph Keefe and unanimously carried.

TOWN OF LANCASTER PLANNING BOARD  
COMMUNICATIONS - SEPTEMBER 2, 2020

- 9.02.01 Copy of resolution adopted by Town Board on 8/17/20 approving the construction of the 271,000 sq. ft. project for manufacturing and warehouse at 0 Walter Winter Dr.
- 9.02.02 Copy of resolution adopted by Town Board on 8/17/20 approving the Orville's addition at 3979 Walden Ave.
- 9.02.03 ZBA minutes from the Special Meeting (Delta Sonic signage SEQR) and Regular Meeting held 8/13/20.
- 9.02.04 Letter to Matt Fischione and response dated 8/20/20 from Chris Streng, representing Kulback's Inc., regarding Pavement Rd. quarry.
- 9.02.05 Notice of 2020 Planning and Zoning School, sponsored by the Association of Towns, to be held via free webinar on Friday, 9/25/20 from 12:00 noon to 2:00 P.M.
- 9.02.06 Letter to Matt Fischione and response dated 8/24/20 from Bernadette Berens seeking to develop a 9100 sq. ft. retail/general merchandise store in the Town of Lancaster.
- 9.02.07 Email conversation dated 8/26/20 between Mariely Ortiz from Erie County Department of Environment and Planning, and Michael Metzger, P.E., regarding the project proposed for Lancaster Parkway.
- 9.02.08 Email conversation dated 9/1/20 from matt Fischione, Code Enforcement Officer regarding 9 Lancaster Pwky surface activity to maintain the existing DEC wetland permit.

COMMUNICATIONS - SEPTEMBER 16, 2020

- 9.16.09 Notice of Public Hearing to be held 9/10/20 for items to be considered by the Zoning Board of Appeals.
- 9.16.10 Letter dated 8/24/20 from John C. Garas, representing the Vine Wesleyan Church, to Matt Fischione, Code Enforcement Officer, indicating that approval is requested for a split of the approximate 36 acre parcel into an approximate 31 acre and 5.2 acre parcel.
- 9.16.11 Letter dated 7/23/20 from John C. Garas, representing the Vine Wesleyan Church, to Matt Fischione, Code Enforcement Officer, outlining the history of the

property owned by the church at the corner of William and Bowen.

- 9.16.12 Letter from Dan Castle, Erie County Department of Environment and Planning, to municipal planning officials throughout Erie County, explaining the previously attached Application for agricultural protection funding available through Erie County.
- 9.16.13 Email from Philip Laugeman from the NYS DOT with an attached PDF of a presentation outlining plans for improvements on Transit Rd. between Wehrle and French Rd. tentatively planned for the Spring of 2022.
- 9.16.14 Email dated 9/9/20 from Matt Fischione, CEO, regarding upcoming projects including an Amazon additional security hut and site plan for the quarry on Pavement Rd.
- 9.16.15 Letter dated 9/10/20 from Matt Fischione, CEO, regarding Windsor Ridge temporary turn around.
- 9.16.16 Letter dated 9/11/20 from Michelle Barbaro, Park Crew Chief, regarding Dog Control Facility.
- 9.16.17 Letter dated 9/11/20 from Michelle Barbaro, Park Crew Chief, regarding Infrastructure improvement Project (Niagara Lutheran Health Facility).
- 9.16.18 ZBA minutes of 9/10/20.
- 9.16.19 Letter dated 9/10/20 from David S. Denk, NYS Department of Environmental Conservation, regarding 15 Enterprise Drive.
- 9.16.20 Memo from Kevin Loftus, Town Attorney, scheduling the SEQR review for Advanced Thermal Solutions Expansion, 15 Enterprise Drive on September 16, 2020.
- 9.16.21 Letter dated 9/11/20 from Ed Schiller, Town Engineer, regarding Niagara Lutheran Health Facility, 5949 Broadway.
- 9.16.22 Letter dated 9/11/20 from Ed Schiller, Town Engineer, regarding 5335 William St. parcel split.
- 9.16.23 Letter dated 9/11/20 from Daniel Amatura, Highway Superintendent, regarding the Dog Control Facility.
- 9.16.24 Letter dated 9/11/20 from Daniel Amatura, Highway Superintendent, regarding Infrastructure Improvement Project (Niagara Lutheran Health Facility).

**Planning Board Minutes**  
**SEQR Review**  
**SEPTEMBER 16, 2020**

The Planning Board held its meeting at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York on the 16<sup>TH</sup> day of September 2020 at 7:06p.m. and there were

PRESENT: REBECCA ANDERSON, PLANNING BOARD MEMBER  
JOSEPH KEEFE, PLANNING BOARD MEMBER  
STANLEY JAY KEYS III, PLANNING BOARD MEMBER  
LAWRENCE KORZENIEWSKI, PLANNING BOARD MEMBER  
KRISTIN MCCracken, PLANNING BOARD MEMBER  
NEIL CONNELLY, PLANNING BOARD CHAIRMAN

EXCUSED: ANTHONY GORSKI, PLANNING BOARD MEMBER

ALSO PRESENT: DAVID MAZUR, COUNCIL MEMBER  
MATTHEW FISCHIONE, CODE ENFORCEMENT OFFICER  
EDWARD SCHILLER, ENGINEER, WM. SCHUTT & ASSOC.  
EMILY ORLANDO, DEPUTY TOWN ATTORNEY  
CYNTHIA MACIEJEWSKI, RECORDING SECRETARY

PURPOSE OF MEETING:

IN THE MATTER OF THE STATE ENVIRONMENTAL QUALITY REVIEW (SEQR) OF THE  
ADVANCED THERMAL SYSTEMS  
LOCATED 15 ENTERPRISE DRIVE, S.B.L. 105.00-3-4.1

The Planning Board reviewed the Short Environmental Assessment Form for an 11,000 sq. ft. addition of permanent pavement matter with an item for item review and discussion of the project impact and magnitude as outlined on the Short Environmental Assessment Form entitled "Part 2 Impact Assessment" which was provided to each member.

**PLEASE TAKE NOTICE**, that the Planning Board of the Town of Lancaster, acting as an advisory committee to provide input to the Town Board, the designated lead agency under the State Environmental Quality Review Act (SEQRA), has reviewed the following described proposed action, which is an **unlisted** action, and that committee recommends that there are no significant adverse environmental impacts relative to the criteria found in 6 NYCRR §617.d, and further recommends that the lead agency issue a **Negative Declaration** for the purposes of Article 8 of the Environmental Conservation Law in accordance with §617.12.

**NAME AND ADDRESS OF LEAD AGENCY**

Lancaster Town Board  
21 Central Avenue  
Lancaster, New York 14086  
Kevin Loftus, Town Attorney  
716-684-3342

**NATURE, EXTENT AND LOCATION OF ACTION:**

The proposed development is of a parcel involving approximately 3.2 acres.

The location of the premises being reviewed is 15 Enterprise Drive. S.B.L. 105.00-3-4.1, Lancaster, New York 14086, Erie County.

This project described as an 11,000 square feet of additional permanent pavement with 0.9 acre physically disturbed area.

**THE FOLLOWING MOTION TO OFFER A NEGATIVE DECLARATION WAS OFFERED BY  
MEMBER MCCracken, WHO MOVED ITS ADOPTION, SECONDED BY  
MEMBER KORZENIEWSKI,  
TO WIT:**

**REASONS SUPPORTING RECOMMENDATION**

1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations? **No impact**
2. Will the proposed action result in a change in the use or intensity of use of land?  
**No impact**
3. Will the proposed action impair the character or quality of the existing community?  
**No impact**
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)? **The Town of Lancaster has not established a Critical Environmental Area (CEA).**
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway? **No impact**
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities? **No impact**
7. Will the proposed action impact existing:
  - a. Public/private water supplies? **No impact**
  - b. Public/private wastewater treatment utilities? **No impact**
8. Will the proposed action impair the character or quality of important historic, archeological, architectural or aesthetic resources? **No impact**
9. Will the proposed action result in an adverse change to natural resources

(e.g., wetlands, waterbodies, groundwater, air quality, flor or fauna)? **No impact**  
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems? **No impact. Storm water off the previously approved additions roof and the proposed driveway and parking area shall be collected in a roof drain system and on site storm water collection system and discharge via pipes and over land flow to the existing storm water drainage system located to the south and west of the project area.**

11. Will the proposed action create a hazard to environmental resources or human health? **No impact**  
and,

**BE IT FURTHER**

**RESOLVED**, that the Planning Board recommendation be sent to the Town Board, for its review and consideration as the lead agency for the Action.

The question of the adoption of the foregoing Recommendation was duly put to a vote which resulted as follows:

REBECCA ANDERSON, PLANNING BOARD MEMBER	VOTED YES
ANTHONY GORSKI, PLANNING BOARD MEMBER	EXCUSED
JOSEPH KEEFE, PLANNING BOARD MEMBER	VOTED YES
STANLEY JAY KEYSA III, PLANNING BOARD MEMBER	VOTED YES
LAWRENCE KORZENIEWSKI, PLANNING BOARD MEMBER	VOTED YES
KRISTIN MCCrackEN, PLANNING BOARD MEMBER	VOTED YES
NEIL CONNELLY, PLANNING BOARD CHAIRMAN	VOTED YES

The Motion to recommend was thereupon adopted.  
September 16, 2020

**AMENDED SITE PLAN-ADVANCED THERMAL SYSTEMS, LOCATED AT 15 ENTERPRISE DRIVE (S.B.L. 105.00-3-4.1). 11,000 SQ FT OF ADDITIONAL PERMANENT PAVEMENT.**

Kristin Savard, P.E. of Advanced Design Group presented with Edward Patnode and David Baumler of Advanced Thermal Systems, Inc. Bill Mancote of Montante Construction was also in attendance. The approved facility expansion is under construction. A driveway and turn around are being added to the site and disturb less than 1 acre of land. Modified drawings have been submitted to Matt Fischione, CEO. The current PIP does need to be amended. Advanced Thermal Systems manufactures piping expansion joints which are used on solar panels for solar farms.

**DETERMINATION**

A motion was made by Rebecca Anderson to approve the Amended Site Plan for Advanced Thermal Systems. Motion seconded by Kristin McCracken.

Roll call as follows:

Chairman Connelly-Yes	Stanley Jay Keysa III-Yes
Rebecca Anderson-Yes	Lawrence Korzeniewski-Yes
Anthony Gorski-Excused	Kristin McCracken-Yes

Joseph Keefe-Yes

**Motion carried.**



**SITE PLAN REVIEW-PROJECT #6170, TOWN OF LANCASTER DOG CONTROL FACILITY, LOCATED AT 525 PAVEMENT ROAD. CONSTRUCTION OF A NEW 88'X34' CMU STRUCTURE WITH TRUSSED ROOF TO HOUSE OFFICE SPACE, GARAGE SPACE, KENNELS, EXAM ROOM AND STORAGE AREA. THIS BUILDING WILL MEET CURRENT KENNEL AND NYS STANDARDS. WATER AND SANITARY SEWER WILL CONNECT TO THE ONSITE SYSTEM AT 525 PAVEMENT ROAD AND NO INCREASE IN CURRENT USAGE FROM THE CURRENT DOG FACILITY IS ANTICIPATED.**

The Town of Lancaster Dog Control Office was awarded a grant by the NYS Dept. of Agriculture and Markets. The SPCA has reviewed and signed off on the plans for the new facility. The dog control facility will be located at the east end of the Town complex. The site is currently covered in asphalt. This is considered a Type 2 action and no SEQR is required. The project is scheduled to go out for bid and construction will start in the spring of 2021. This facility is long overdue and the current building is substandard. The new facility will need to be physically identified and labeled.

#### **DETERMINATION**

A motion was made by Kristin McCracken to approve the Site Plan for the Town of Lancaster Dog Control Facility. Motion seconded by Lawrence Korzeniewski.

Roll call as follows:

Chairman Connelly-Yes

Stanley Jay Keysa III-Yes

Rebecca Anderson-Yes

Lawrence Korzeniewski-Yes

Anthony Gorski-Excused

Kristin McCracken-Yes

Joseph Keefe-Yes

**Motion carried.**

**AMENDED SITE PLAN REVIEW-PROJECT #5194, INFRASTRUCTURE IMPROVEMENT PROJECT (NIAGARA LUTHERAN HEALTH FACILITY). REPAIR AND ENCLOSE THE DRAINAGE DITCH ON THE EAST SIDE OF GREENFIELD'S PROPERTY.**

Nick Kwasniak, Executive Director of Environmental Services for Niagara Lutheran Health System discussed the need for the improvements. The original design of the drainage system did not work sufficiently and flooding came within two feet of buildings. These repairs are to the existing drainage system due to erosion. The south end of the property had backup and will be enclosed so that the water will not come toward the building. A Floodplain Development Permit will need to be issued. A backflow valve preventer would be of benefit to this project with a check valve. Member Anderson recalled the original three buildings being located closer to the creek in the original drawings and after they were moved away from the creek. A portion of the property was removed from the flood plain. SEQR is required for the project and will be held at the 10/21/20 Planning Board meeting.

#### **DETERMINATION**

A motion was made by Chair Connelly to table the amended site plan for the Infrastructure Improvement Project (Niagara Lutheran Health Facility) until the 10/21/2020 Planning Board meeting. Motion seconded by Rebecca Anderson.

Roll call as follows:

Chairman Connelly-Yes

Stanley Jay Keysa III-Yes

Rebecca Anderson-Yes  
Anthony Gorski-Excused  
Joseph Keefe-Yes

Lawrence Korzeniewski-Yes  
Kristin McCracken-Yes

**Motion carried.**

**PRELIMINARY PLAT PLAN- PROJECT #6026, VINE WESLEYAN CHURCH SUBDIVISION, 36+/- ACRE PARCEL AND A 5.2 +/- ACRE PARCEL WITH DWELLING AND ASSESSORY BUILDING SPLIT OFF. LOCATED AT 5335 WILLIAM STREET. SUBDIVISION DOES NOT INCLUDE DEVELOPMENT OF EITHER PARCEL.**

Three splits of this parcel have been made in the past without Town action. This fourth split is to section off a 5.2 acre parcel and the 5.2 and 31 acre parcels will be sold separately. The Town could be liable for allowing SEQR segmentation. This subdivision will require a SEQR review and Public Hearing.

**DETERMINATION**

A motion was made by Chair Connelly to table the Preliminary Plat Plan for the Vine Wesleyan Church subdivision until the 10/21/20 Planning Board meeting. Motion seconded by Joseph Keefe.

Roll call as follows:

Chairman Connelly-Yes  
Rebecca Anderson-Yes  
Anthony Gorski-Excused  
Joseph Keefe-Yes

Stanley Jay Keysa III-Yes  
Lawrence Korzeniewski-Yes  
Kristin McCracken-Yes

**Motion carried.**

Motion made by Chair Connelly to set a Public Hearing for the Vine Wesleyan Church subdivision at 7:05p.m. on 10/21/20. Motion seconded by Kristin McCracken.

Roll call as follows:

Chairman Connelly-Yes  
Rebecca Anderson-Yes  
Anthony Gorski-Excused  
Joseph Keefe-Yes

Stanley Jay Keysa III-Yes  
Lawrence Korzeniewski-Yes  
Kristin McCracken-Yes

**Motion carried.**

**Other items discussed:**

Ed Schiller, Town Engineer discussed a drainage problem at Blackstone Court. The problem is with a ditch along the south side of the property. It was questioned who was responsible for the private drainage easement and conveying to the Home Owners Association responsibility of the easement. Verbiage in the storm water agreement may need to be changed in the future to clarify responsibilities on future subdivision approvals.

The school bus turn around at Worthington Lane has been taken care of.

Agricultural funding information has been forwarded to the Grant Writer for review and to make application.

Application for a rezone and site plan will be in shortly for a brewery at Genesee and Gunnville. This was the participant when the Zoning Code Public Hearing was held.

At 7:42 p.m. a motion was made by Lawrence Korzeniewski and seconded by Kristin McCracken to adjourn the meeting. Motion carried.



# Town of Lancaster

TOWN PLANNING BOARD

21 Central Avenue

Lancaster, New York 14086

## MEMO

TO: Honorable Town Board  
Town of Lancaster

FROM: The Town of Lancaster Planning Board

DATE: September 16, 2020

RE: Advanced Thermal Systems

PROJECT #: 8392

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LOCATION: 15 Enterprise Drive (S.B.L. 105.00-3-4.1)

TYPE: Amended Site Plan

RECOMMENDATION: APPROVE

Roll call vote:

Chair Connelly-Yes

Rebecca Anderson-Yes

Anthony Gorski-Excused

Joseph Keefe-Yes

Stanley Jay Keysa III-Yes

Lawrence Korzeniewski-Yes

Kristin McCracken-Yes

CONDITIONS: N/A

CONCERNS: N/A



# Town of Lancaster

TOWN PLANNING BOARD

21 Central Avenue

Lancaster, New York 14086

## MEMO

TO: Honorable Town Board  
Town of Lancaster

FROM: The Town of Lancaster Planning Board

DATE: September 16, 2020

RE: Town of Lancaster Dog Control Facility

PROJECT #: 6170

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LOCATION: 525 Pavement Road

TYPE: Site Plan

RECOMMENDATION: APPROVE

Roll call vote:

Chair Connelly-Yes

Rebecca Anderson-Yes

Anthony Gorski-Excused

Joseph Keefe-Yes

Stanley Jay Keysa III-Yes

Lawrence Korzeniewski-Yes

Kristin McCracken-Yes

CONDITIONS: N/A

CONCERNS: N/A